

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 3:18cr78CWR-FKB

JULIO ARMANDO BRUNET

**GOVERNMENT'S RESPONSE TO
DEFENDANT'S MOTION TO DISMISS**

Defendant Julio Brunet filed a motion to dismiss due to lack of jurisdiction. Dkt. No. 6. Brunet's motion should be denied.

I. BACKGROUND

Defendant Brunet was convicted in the Southern District of Florida for conspiracy to commit healthcare fraud. He was sentenced to a period of incarceration and, most recently, was serving his time at the federal prison in Yazoo City, Mississippi.

Brunet escaped from federal custody and fled to Florida. Thereafter, this Court issued a criminal complaint and warrant for his arrest. Dkt.

No. 1. A grand jury indicted Brunet for escaping federal custody in violation of 18 U.S.C. § 751(a). Dkt. No. 3.

Brunet was re-arrested and had his initial appearance before a magistrate court judge in the Southern District of Florida. Dkt. No. 5. In a subsequent hearing, that court found that Brunet voluntarily and competently declined appointed counsel and could proceed pro se. Dkt. No. 5, at 2. That court also found that Brunet's identity was established. *Id.* Brunet was detained due to his risk of flight. *Id.*

The case was transferred to this district.

II. DISCUSSION

Presently before the Court is Brunet's motion to dismiss the indictment for lack of jurisdiction. Dkt. No. 6.

Brunet escaped federal custody. In so doing, he violated federal criminal law. *See* 18 U.S.C. § 751(a). Brunet's actions took place in this district; more specifically, in this division. This Court has jurisdiction.

III. CONCLUSION

This Court has jurisdiction. Defendant Brunet's motion should denied.

Respectfully submitted,

D. MICHAEL HURST, JR.
*United States Attorney for the
Southern District of Mississippi*

By: /s/ *Abe McGlothlin, Jr.*

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Dated: May 2, 2018

CERTIFICATE OF SERVICE

I certify that on this day, I electronically filed the foregoing with the Clerk of the Court using the Electronic Case Filing system (ECF), which served to send notification of this filing to counsel of record, and I certify that on this day I mailed by the United States Postal Service the foregoing to the following non-ECF participant: the defendant, Julio Armando Brunet, at the address shown on his *pro se* motion, Inmate Number 05079-104, Madison County Detention Center, 2935 US-51, Canton, MS 39046.

Dated: May 2, 2018

/s/ *Abe McGlothlin, Jr.*
ABE MCGLOTHIN, JR.
Assistant United States Attorney